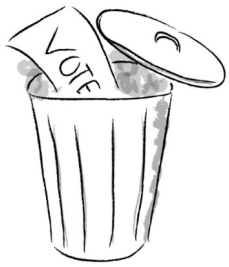
Democratic backsliding:

possible remedies

| 2026



The lottocratic system is not meant to ensure government by "the best and the brightest"[1]
but to make room for the ruled to be"better and brighter" – that is, to give real democracy a semblance of a chance.

In our last discussion *"**Pitting devils, democracy, and 'executive aggrandizement' | 2026**,"* we asked what "*democracy"* is, what it is not, why it is desirable, and why it does not exist at the national level in most countries which use the term to describe themselves, in particular, the U.S. – and hasn't for a long time. Please check out **the description and resources** for that event if you missed it.

The consequences of aggrandizement are in the headlines.[2]

This time we focus on what, if anything, may be done about democratic decay and its proximate cause, executive aggrandizement – on the assumption something ought to be done about it. We will discuss possible remedies. There aren't that many. To the best of my knowledge, there are only two *fundamentally distinct* ways to fix democracy (assuming you aren't content with it as is).

The first is familiar. We have all heard it before: *reform the system we have*. We will review briefly what stands in the way and why many experts are losing faith in the possibility. Most of the reasons for this were addressed **before** but we review them below because it is critical to understanding the *aptness* of the alternative.[3]

The other response to democratic backsliding attempts a more radical revision of democracy according to a proposal suggested by several contemporary thinkers from various disciplines, most recently and prominently by Rutgers political philosopher **Alexander Guerrero**. It is that law-making and law-enforcing bodies should be *randomly selected, not elected.* This basic idea is not new either. It is an almost forgotten observation by the ancient Greeks. It preserves the most morally defensible aspect of *democracy,* the participation of the governed in the making of laws that govern them, and the practical necessity of some form of *representation,* given the size of modern states – *but abandons elections as the principle mechanism of representative democracy.* Voting, at scale, it turns out, has a proven record of failure at preserving democracy. For random selection of law-makers to be convincing, there is a lot of explaining to do. We will work toward doing that.

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1. The allusion is to David Halberstam's famous book of that title as well as to update Plato's epistocratic vision in *The Republic*.
2. And in discussions around the world. See, for instance, Jeffrey Sachs *et al.* on Trump at Antalya Diplomacy Forum (April 2026).
3. We have no illusions as to the implementation of the alternative we will present here anytime soon, though we think it may be worth considering in the aftermath of global democratic collapse.

Seventeen years in gestation, following decades of observation, analysis, and review by political scientists, political philosophers, and historians, the proposal in Guerrero's book ***Lottocracy: Democracy Without Elections*** (Oxford University Press, 2024) will likely rank among the most innovative in political philosophy in the last century. It builds on the well-documented fact that democracy does not exist at the national level in the U.S. A quick understanding of how things got this way can be derived from listening to Martin Gilens' short landmark 2014 "**democracy in name only**" lecture, and can be further deepened by more recent presentations by Guerrero **here** or **here** on the applicability of a lottocratic alternative for choosing who will make and enforce the laws we live under.

Brief review of the problem with democracy as currently implemented

Economic capture

- Money and the concentration of power it fosters is nothing new, though the scale today is historic, certainly, but there are deeper concerns in play.

Problems with voting and motivation: why vote when…

- Your *individual* vote *cannot* count statistically in the real world (statisticians and historians agree); whatever you might have been taught in school, *it can never be the case that your vote makes a difference in a national election.* (Consider Bush/Gore.)

- Your vote as part of a *bloc* may count but at the price of extreme passive compromise. *A choice between two is as close to no choice at all as one can get without actually having no choice at all.* This enervates motivation, and goes a way toward explaining why voter turnout is so poor relative to the population that is supposed to be affected by the result. It undercuts the supposed gravitas we are supposed to bring to the act of voting: that is, that *you* are privileged in having *your* preferences count *as an individual* as opposed to having them diluted in affiliation with a group, a team, a party, a community, or some corporate body less than the full field of *all* those *you* have social and moral obligations to – *but always never just the particular person you are with your proprietary intelligence and sensibility.* The "you" you take yourself to be in other aspects of your life matters not a whit. *If* you matter, it is only through your sublimation or dissolution into this social medium, midway between the universal and the individual… The fact of this subsumption under a class of persons should make us wonder why anyone bothers to ask our opinion when it could be inferred from our placement in society.[4]

4. I can only suspect that our social psychology is being manipulated: our conscious identity absorbed in a kind of *species-being* (to borrow from Karl Marx) or our moral sympathies exploited to serve *invisible ends* (to borrow from Adam Smith). In either case, individual consciousness exists to serve presumably "greater" corporate ends. The ends may indeed be "greater" numerically but not normatively. The cosmos may – no, likely, *will* – do what it will with me. But, as things stand, it has not adequately provided for my acquiescence. I, in my infinite selfishness, reserve the right to be unhappy with its machinations. The collective survival premise is not sufficiently or universally motivating. This is not to suggest that there is something normatively sacred about individuality or that our collective or social being should be disvalued, we may someday evolve a genuine bee-like hive mentality, conclude we are just parts of something much bigger than ourselves. We *then* will have to decide whether this development is good or bad. Not *now.* But it is to remark that it hasn't happened yet. And we cannot pretend that it has unhypocritically. At this point in our moral development, the normative tension is not resolved. And *should* it be resolved, the result will only be *causally* – not intrinsically – related to us *now.* It will not be a result we, as "we is now," (Gertrude Stein) can fear or hope for – *while* retaining our identity. Not retaining "our" identity, what exactly would be "our" interest? It can only be in the interest of what supersedes us. Fine, but "we" will have gone extinct. Maybe we will want *now* to deem that foreseeable extinction a good thing?

- Alternatively, your vote may amount to a *gesture* of frustration, it may serve a therapeutic purpose, like pounding your fist against a wall, a primal scream, or ritualistically tossing a virgin into a volcano in the hope of propitiating the gods… but it can hardly be politically efficacious.

- Perhaps, most people don't risk overthinking the act of voting. They do it from habit, from tradition, because of social pressure, etc… if that is enough to motivate you, no wonder we get the governments we get.

Problems with representation

U.S. politicians at the federal level, the political structure ensures, *are not and cannot* be like us:

- They are mostly lawyers or affiliated with interested corporate bodies,
- mostly male, and/or
- mostly multi-millionaires.

The system does not permit otherwise. Most ordinary citizens do not fit into *any* of these sortals, let alone a combination of them. In a democracy, doesn't "most" matter? The prevailing notion that we are being "represented" can only be described as "gas-lighting."

Problems with politics itself

The supposed reason we have politicians at all is because individuals in the governed community cannot be expected to have the time, resources, and education to make weighty governmental decisions, and, therefore, we must select *from among ourselves* those who can meet these requirements, and, further, equip and *entrust* them to carry out governance *for us*. Is this "trust" necessary?[5] The fact is that politicians chosen from among ourselves can only be expected to be (at best) *as* incorruptible as *we* are. Are we – the demos, the electorate, ordinary people, the governed – incorruptible? Immanuel Kant answered that we must presume *not*:

> As hard as it may sound, the problem of setting up a state can be solved even by a nation of devils (so long as they possess understanding). It may be stated as follows: 'In order to organise a group of rational beings who together require universal laws for their survival, but of whom each separate individual is secretly inclined to exempt himself from them, the constitution must be so designed that, although the citizens are opposed to one another in their private attitudes, these opposing views may inhibit one another in such a way that the public conduct of the citizens will be the same as if they did not have such evil attitudes.'[6]

It is too easy to blame politicians for not being saints. We must address the conditions that make the attempt *impossible* for them. Saints are scarce, but is there a mechanism that better disguises this fact? Let's be real, most humans are so-so morally. At least we must presume so. The consequences of *not*

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5. Trust is only prudent when you are epistemically equipped to dole it out. If this is not possible, you are left with faith. Voting is both like and unlike praying.
6. *Perpetual Peace: A Philosophical Sketch*, (1795), First Supplement: On the Guarantee of Perpetual Peace, Section 1. The older Hastie translation is online here.

making this presumption – at the political level where vast numbers of lives are affected by the decisions of non-saints – requires better political engineering than electing from among non-saints can pretend to.

Possible solutions

Reform: Though it may have helped short term in the past (in the U.S. in the late 19th Century, again in the 1920s), present prospects for meaningful reform seem dim because the underlying causes of corruption have magnified beyond band aids: major surgery – difficult and careful *constitutional* surgery – is called for. Otherwise, we are asking the wolves to redesign the hen house. (As I write, the Democratic and Republican parties are vying with each other to see who can be the most corrupt. They are conducting an orgy of gerrymandering. Or consider the "ordinary" citizens who sat behind the current executive at his inauguration.)

Lottocracy (aka sortition): We will be centering the discussion on a solution that *preserves* democracy but *re-imagines* representation and *ditches* elections, and, thereby, attempts to address the problems listed above. The lottocratic project is about creating conditions that:

- prevent *capture* by
- *educating* the demos, and
- *eliminating* politics as we know it.

We will describe how the project might work, according to Guerrero. *Could* it work? Is it hopeless? Needless to say, it will be no small task to counter the entrenched notion that elections are the only way to do democracy.[7]

The lottocratic system is not meant to ensure government by "the best and the brightest" but to make room for the ruled to be "better and brighter" – that is, to give real democracy a semblance of a chance.[8]

A trilemma

Assumptions: in a genuine democracy, according to Guerrero, the ruled must be equipped with:

- *epistemic* virtue, which is the capacity for *informed* decision-making, and
- *agential* virtue, which is *the opportunity to make and the exercise of actually making* responsible decisions, or *meaningfully* monitoring those who make them. "Meaningful"

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7. You are not expected to agree with anything said here; in fact, civil, honest, and thoughtful reactions, not consensus, are the most we should expect from a genuine philosophical discussion. That's how we approach understanding. But, if you are not comfortable questioning assumptions we have all grown up with, this event may not be for you. I have written extensively about ideas of governance. If the topic interests you, see the five part discussion, "Magical thinking about democracy," which, along with related writings, can be accessed at [pph.aporia.net] (https://archive.org/details/@biancoluno/lists/3/political-philosophy).

8. Some philosophers, even some of the greatest, have viewed democracy with suspicion, seeing it as a path to anarchy, then tyranny – and with good reason. Were Plato here to see what is happening in many Western democracies now – most pointedly, in the U.S., he would be tempted to say, "I told you so." Haven't we learned anything in the intervening 2500 years? We will see if that is more than a rhetorical question.

> monitoring presupposes epistemic capacity. You can't effectively monitor what you have only superficial acquaintance with. So the second virtue presupposes the first.

Both of these virtues are lacking in "mature" – *i.e.*, *senile* democracies – when these are generally structured as representative and electoral at scale. This is the core problem with electoral representative democracy as we are familiar with it.

An analogy: elected politicians are *supposed* to work for us. We hire and pay them to do so. We are their *supposed* supervisors. Who else? If they produce bad product, *who* is responsible? Directly, *they are*. Indirectly, but most critically, *we are*. We placed them in their position. How may a manager or supervisor *meaningfully* manage or supervise those whose work they manage or supervise, and are responsible for, if the manager or supervisor is ignorant of the tasks the workers are supposed to complete and the methods whereby they are supposed to be completed?[9] First tier managers and supervisors are typically promoted from among the ranks of those they are to monitor. Perhaps advanced training or academic understanding of the tasks and methods may enhance their effectiveness as managers or supervisors, but this abstracted knowledge must be secondary to hands-on experience – in particular, if the task is *democratic* rule. The managers or supervisors cannot be imported from a completely different class of persons insulated from the hands-on skills and day-to-day constraints under which the workers must operate in carrying out their tasks. Again, *at least not in a democracy.* For this would gut the meaningfulness of the designation "democracy." Again, the result of such a situation would be, at best, epistocratic (rule by "the best and the brightest"): which may well be defended on grounds of pure efficacy – as Plato, in fact, did in *The Republic*, but not on post-Enlightenment moral grounds which posits *equality* as a basis for distributing agency. Pure efficacy in governance would do nothing to enhance the epistemic and agential virtues of the governed. *And that is the, apparently forgotten, moral justification for democracy in the first place.*

Since the Enlightenment, there has been a lot of talk about "human dignity" and "equal rights." We are not just animals eking out survival in the jungle of an adiaphorous, indifferent nature, where it is "everyone for themselves and God against all," so to speak.[10] We are passed that, supposedly, we have moved on, right?... Taking this humanistic talk seriously, which obviates the right of the more capable from lording over the less capable, none of us are *supposed* to be *inherently* superior to others, at least not permanently and irreversibly. In medieval times, it had been so much easier to escape responsibility.[11]

Thus elevated, it is incumbent on each of us "equals" to develop epistemic and agential virtue. These virtues translate to *empirically informed* and *logically disciplined* action, which co-enable each other for good governance that is democratic.[12] The ruled must be able to hold accountable, in some sense, those who govern them and they are unequipped to do so as long as they are kept ignorant of the machinations of electoral representative democracy at scale because of *capture*. Capture is what

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9. Aren't politicians supposed to be public *servants?* Supposed to *work for* their constituents?
10. To quote a line from Wernor Herzog, and the title of his memoir.
11. Kant's last imperative expresses this newly conscious realization. That we are newly self-minted gods stumbling in the awkwardness of attempting – but certain in the *rightness* of – mutual worship. We are right up there with the stars in heaven in terms of wonderfulness. At least we may dream we are. This was the critical insight contributed by the Enlightenment, such as it was.
12. Such ambitious rational aspirations are required for our *collective* survival. *Individually,* I argue often elsewhere the role of reason is greatly circumscribed and overrated. Our happiness and well-being *as individuals* has little to do with being rational.

happens when other interests than the will and welfare of the governed prescribe the actions of those who govern. Capture happens inevitably[13] without accountability.

The dilemma with delegating epistemic and agential capacities to representatives can now be spelled out:

1. *Either* representatives are responsive to their constituents, *or*
2. they are not.
3. Suppose representatives are genuinely responsive to their constituents, *and*
4. these constituents are deeply ignorant (we need not suppose this as there is ample empirical evidence they *are* ignorant), *then*
5. the representatives will act in ignorance with all that "acting in ignorance" entails: *bad governance*.
6. But suppose representatives are better informed and equipped to make, in their wisdom, better decisions than their constituents would; that is to say, they are *not* responsive to their constituents, they are substituting their better judgment for that of their "wards," *then*
7. *we do not have a democracy* (at best, we have an epistocracy, a variety of oligarchy).[14]
8. So, either we get *bad* governance or we do *not* have democracy.

But we want *both* – good governance *and* a genuine say in that governance, don't we? The challenge is how may we have both?

We must remark on a third logical possibility, making for a trilemma, concerning the responsiveness of representatives to the represented:

- Suppose the representatives are *partially* responsive to the ruled, while
- the ruled are *partially* informed and thus *partially* able to monitor representatives for their responsiveness to the ruled...

This alternative probably comes closer to describing political reality. But the situation is all the worse for the accuracy of the description – *all the worse for conceding moderation in epistemic and agential integrity* – because of the increased likelihood that capture will not be fully apprehended until it is beyond remedy from within the system or established institutions. The inertia of faith in the essential good will and competence of those in whom the ruled have invested loyalty will lull them – the ruled – into believing that they possess more knowledge of – and control over – their rulers than they actually do. The *partial* responsiveness to the *partially* informed and *partially* enabled facilitates an insidious slide from democracy toward executive aggrandizement. This seems to be what has actually been happening in *mature*[15] democracies as we know them. So then we get either

13. The *inevitability* of capture is, of course, not a logical one. It is anthropological/historical fact allowing for exceptions – but not ones available to democracies with their insistence that involuntary, because ignorant, deference to other is immoral. In a democracy, I am not allowed to shirk responsibility by saying "I am too busy, too stupid, you drive."

14. Or perhaps there is a way democracy may incorporate an epistemic status *not* endemic in the governed. *How?* Guerrero has a plan for how this may be realized.

15. "Emerging" democracies, those with little or no history of at least marginally "functional" democratic rule, may have the advantage of youthful idealism. Democratic instances struggling with the historical baggage of decades, if not centuries, of oppressive or corrupt government have yet to suffer what we may call electoral democratic "senility." Not because they are immune, but because, for these, the electoral idea is still fresh and revolutionary. It has yet to be fully exploited by the perennial "devils" among us. (I have in mind, especially, recent history in Mexico where I live.)

- bad governance, *or*
- no democracy, *or*
- the illusion that we must accept our condition as the best of possible outcomes.[16]

But maybe it ain't true "we don't know our ass from a hole in the ground"?

Guerrero addresses "Information shortcut" theory and "Retrospective voting" theory as two common responses to the above cited shortcomings emerging from the rational assessment of electing representatives in a democracy. These counterarguments defend the "representativeness" of the status quo. The first theory claims we *do* know enough to be represented because we *don't need* to know that much. The second claims that we exercise effectively, *in fact*, the knowledge we have to hold our representatives accountable at election time.

"Information shortcut" theory posits that *detailed* information and *know-how* about what government does is *not* necessary for the individual governed. It is enough if the individuals governed rely on generalities derived from *proxies* such as mainstream media, "official" sources, persons and institutions purporting to have expertise and commonly regarded as trustworthy, political parties, think tanks, watchdog institutions, unions, and other corporate bodies with resources and influence – even older or more experienced family and friends – just as one may sensibly trust a surgeon for serious medical services. It would be neither practical nor rational for each of us to go to medical school in order to learn how to adequately evaluate and care for our health. Not only may we outsource our epistemic and agential responsibility at small cost, it is even prudent to do so, this theory suggests.

"Retrospective voting" theory asserts that we *are* epistemically equipped and agentially enabled to hold our government accountable *after* seeing what they do: at the next election we are empowered to "throw the bums out" if we are not happy with their performance. The governed *can* see with their own eyes the results of passed promises and pronouncements and, thus aware, *can* act appropriately at the next opportunity to replace or retain their representatives. Thus, the ruled are not blind and, indeed, are enabled participants in their own governance.

What's wrong with these theories?

Why would anyone think the scale of our ignorance *is* real?

1. "Information shortcut" theory severely attenuates epistemic capability. Why *trust* these proxies, these intermediaries between the ruled and who or what rules them? What motivates the supposed integrity and trustworthiness of the proxies? What role does entrenched power and money play in their authority and prestige? Why trust proxies to watch over themselves, let alone, us? What kind of people are drawn to these roles?

At best, they are people *just like us*, and history shows there is devilry among us. At worst, *because of their extraordinarily enabled sway, the power we concentrate in them,* these proxies may do great damage on a scale each of us mere pawns may only aspire to. One bad apple can only poison so many.

16. Recalls what Guerrero calls the "Churchillian shrug." To paraphrase, democracy is the worst form of government but for all the others.

The institutional farming of such is more toxic. If I am morally bankrupt – a lone serial killer, say, there are only so many I may snuff out. As commander and chief of a nation state's military with the authority to order special operations (only anachronistically called "wars"), I am enabled to engage in genocides a serial killer may only envy.

What justifies trust in proxies? And, more importantly, how does outsourcing our epistemic needs to proxies make *us* wiser and more capable individuals and citizens? If it is solely a question of practicality, the Guerreroian lottocratic alternative will expound an answer...

2. The suggestion of "retrospective" theory that, as things are, we *are* sufficiently informed – and democratically enabled because of it – belies history.

Do most citizens in ostensibly "democratic" nations, such as the U.S., believe:

- the electoral college,
- gerrymandering, and
- lobbying

are healthy artifacts of practical democracy?

The *electoral college* was controversial in 1789 when it was first drafted into the U.S. Constitution. Since, there have been over 700 attempts to eliminate or qualify it.[17] All of them have failed. From the beginning, it was meant as insurance against the stupidity of the masses. And yes, the rabble *is* stupid – something so desirable and convenient, apparently, that the "college" has found no reason to dispense with itself in the intervening two and a half centuries – as though the endemic ignorance of the governed, as a class, of what is good for them, *is* a permanent state. One must be excused for thinking the "is" has hardened into a "should."

Gerrymandering goes back to 1812 and Massachusetts Governor Elbridge Gerry's attempt to manipulate electoral districts to improve a party's chances at election.[18] Over two centuries later, despite the evident reek of democratic corruption, it has become institutionalized as a legal way to insure political entrenchment by one party or another.

Does *lobbying* have a better democratic fragrance? Many somewhat more enlightened governments than that of the U.S. show themselves sensitive to its stink for reasons that are morally clear. Even the U.S., itself, did until the 1950s.[19] But since it has become so ingrained in U.S. electoral political practice that it is difficult to imagine widely held scruples sufficiently potent to dislodge it from what is acceptable and inevitable. It is the way things get done. Whose interest would be served by restricting, let alone eliminating, lobbying? Lobbying is a corollary of freedom of expression, a cornerstone of democratic rule, it is argued. Groups, too, are entitled to free expression, and it is unavoidable that groups will be more materially enabled, and thus effective, than you or I as individuals... I will guess that whoever benefits from lobbying, it is not the typical member of the demos. Your moral qualms about lobbying, if you still have any, are otherworldly decadent. Where do you get the idea that

17. "Of the 700 Attempts to Fix or Abolish the Electoral College, this One Nearly Succeeded," Gillian Brockell. *History News Network*, 2020.
18. Actually, even Governor Gerry thought such loaded redistricting distasteful but signed the proposal anyway.
19. "The Forgotten Law of Lobbying," Zephyr Teachout, *Fordham University School of Law*, 2014.

morality is a constraint on politics? Politics is about groups, not individuals. Morality constrains individuals... Get real.

The “retrospective” theory’s assertion that there exists an informed agential role for the electorate, if true, reflects badly on the intelligence of the electorate. Perhaps, it is true we, the unwashed, don’t and can’t know what is good for ourselves. But we can say with certainty that, whatever else it is, a state, correctly so described, is *not a democracy.*

Lottocracy

I will sketch the framework behind Guerrero’s proposal. The details, of course, of how this would work in practice will have to be hashed out should we ever get close to implementation, but why the framework has the shape it does follows directly from what has been identified as an understanding of what democracy should be and the failure of electoral representation to reflect that understanding. Again, the guiding definition of democracy is *good governance by the governed*. The “good” part is what Guerrero’s notion of *epistemic virtue* is about, that is to say, the persons doing the governing must be *informed* about what they are doing, and these informed agents must genuinely *represent* the governed. The “by” part also entails the *agential virtue* of these genuine representatives. It demands that we, the demos, *through these genuine representatives*, must know *who is doing what and why* so that responsibility can be pinpointed and the targets held accountable.

In Guerrero’s version of lottocracy, the representatives – *genuine* because they were randomly selected from the demos – will voluntarily take on a serious responsibility. They will make and enforce the laws that they and the rest of us must live under. Their work cannot be a part time,[20] arms-length project, mediated solely by powerful interested parties. There can be *only one*[21] interested party ultimately of concern to the lottery-selected representatives, and that will be the class of people they represent because *these represented people are much like themselves, not because the representatives were chosen by the represented*. The work of these genuine representatives will demand they wrap their heads around complex problems of importance to the people they represent, the demos, and craft solutions *as good as any* that an informed and empowered contingent sample of the governed may. *This is how democracy at scale must work, the claim is.*

In order to be so empowered they will need *authority* and *resources*. They will acquire authority simply in virtue of having been given the opportunity to serve their community via random selection. The randomness is to insure *descriptive*[22] representation as opposed to the *proxy* representation of current systems of representative democracy. And the resources must be sufficient *both* to sustain them more than adequately through the material sacrifices they inevitably will make in order to serve effectively for three years in such an ambitious role *as well as* to make them less vulnerable to capture by interested parties that do not have the general interest in mind.

They will be invested with the authority and resources to call upon the expertise of others with specialized knowledge in the fields covered by the law and policy which these representatives must decide: these will include academics, representatives from organizations and institutions who stand to

20. At least at the level of a modern nation-state.
21. *Only one* interested party explains why the proposal entails *the elimination of political parties* as we know them, something Simone Weil argued for in 1943.
22. Or “indicative,” to use Philip Pettit’s word.

gain or lose from law and policy as well as those whose lives will in anyway be affected by whatever law or policy results from the decisions made. This last class will involve many ordinary people, as it should *in a democracy.* These experts and interested parties will not only inform and educate the randomly selected representatives, they will *cross-vet* each other.

For example, in the field of public health, the lottery-selected representatives during a crisis, such as the recent pandemic, will need to hear from medical experts as to the facts of the situation to the extent known at the time as well as from those parties who may have have or generate possible treatments or solutions. In every field, especially in science, there is controversy as to the facts on the ground – as well there should be to the extent one understands how science works. So there will *always* be dissenting voices, especially where there are those who will gain or lose materially as a result of a policy decision. These perspectives need to be aired and attended to by the representatives entrusted to make decisions. Again, all sides require being listened to. Not all will be credible or disinterested, of course, but the credence and weight accorded testimony from diverse interested parties is a matter to be decided *exclusively* by these law-makers themselves *randomly selected – but informed*[23]*– from the demos*.

Naturally, the discovery and deliberation requisite for such weighty decision-making will require effort and time on the part of the representatives. Hence, Guerrero's lottocratic proposal is that there be special bodies focused on different areas of public policy. These bodies, he calls SILLS – *single issue lottery-selected legislatures* – would consist of, say 450 randomly selected persons from the demos, whose full time job[24] for three years would be to learn about, deliberate, and decide law and public policy in their particular lawmaking body's specialty. Theirs would be the authority to make and enforce the law of the land in the area of their SILL's focus.[25] There may be 30 such SILLs to cover the different areas of public concern such as health, education, the economy, foreign policy, the environment, etc.[26] Each member of a SILL would serve for three years. Their service would be staggered. A contingent of 150 would be new and 150 would be retired each year. The first year would be primarily educational for the fresh group; the second and third year would be consumed with actual law and policymaking.

SILL members would be compensated to the tune of whatever their income was before their service *plus* enough to make the opportunity materially enticing – but with a floor well above the minimum necessary to function effectively as a law-maker.[27] There would be legal protections from employer discrimination or other negative fallout from taking time away from career or work to serve as a member of a SILL for the duration of their term. In other words, if there were any material penalties for your having served, you would be generously compensated. Members must, of course, agree to having

23. Informed but not necessarily expert. Narrowly defined "expertise" would neither be practical nor necessary. One's epistemic situation needn't be so elevated to compare favorably with the norm among the current ruled or rulers. More said below about how this may be achieved.
24. At the *federal* level. If lottery-selection of law-makers is implemented in less complex local contexts, full-time commitment may not be required. But the same basic principles articulated here should shape the structure of such lottery-selected bodies.
25. Together with lottery-selected administrative and executive assemblies. These, unlike the SILLs, would not make law. They would administer and enforce it.
26. The number and kind of SILLs *may* reflect current subcommittees in Congress.
27. The proposed compensation has changed over the years. I recall a decade ago, a million dollars/year was being entertained. The "floor" currently (in 2026) suggested is 100,000 - 150,000 dollars/year. Even if a SILL member was homeless, unemployed, or a stay-at-home parent, that would be the minimum.

their finances monitored before, during their service, and for a long time after, to make certain they were not being financially compromised by parties interested in their decisions. Should your random selection happen at an inopportune time in your life, you would be permitted to defer your service for a later time. And the service would not be mandatory. You could refuse to serve for whatever reasons, but whatever the reasons, they should not be financial. And, finally, once your three year service is completed, you would never serve again.[28] It is important that others be given the opportunity.

The authority and resources of members of a SILL would be circumscribed in just these ways because they are only *temporary* representatives. They cannot be professionals. *The idea of someone making a career of politics is anathema to democracy.*

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Of course, the lottocratic proposal is unconstitutional… We make the case that it is a mistake for a constitution not to have an expiration date.

Distrust of democracy

The founding authors of constitutions based on electoral representation did not trust the ruled to make the best decisions regarding how they were ruled.[29] The mechanisms these, too easily revered, historical figures put in place such as the electoral college, a bicameral legislature, and the special rights and privileges conferred on the executive, including the appointment of the judiciary, commander and chief of the military, veto power, etc. were expressly designed to preserve and, when necessary, extend or recover oligarchical control. These inserted stipulations ensure that an elite class of political actors would always retain override privileges, and, thus be able to augment their sway over the ruled whenever they – *the elite* – deemed appropriate.

To the extent we believe in democracy (and some important thinkers did not, and don't, justifiably), the structure of electoral representation was – and, more than ever, *is* – not optimal. Even conceding that many of the founders were acting in good faith and were right not to trust the general run of the ruled does not excuse the lack of attention to improving the quality of demos – the ruled – in the centuries since so that they *could* be trusted.

Human nature and cussedness has not changed much in the time since the Greeks, but the Enlightenment introduced a genuinely innovative notion: that human individuals were inherently endowed with dignity in virtue of their rational capabilities, if not actual habits and practices, and thus were to be respected and accorded an agential role, with all the risk this entails, in their own rule. The ruled, post-Enlightenment, could not be kept infantilized, as in earlier times, and prevented the exercise of their rational capabilities. Only their exercise could permit these potential capabilities to develop and flourish. This means that whatever historical justification there might have been for not trusting the ruled, it cannot, consistent with talk of "democracy," be tolerated as a permanent condition in virtue of the modern elevated regard we now supposedly have for the ruled. But the absence of trust has not only been tolerated, there is ample empirical evidence that it has been encouraged.

28. Except possibly in an advisory role if called upon. One would never serve again in a law-making capacity at the federal level; local service may remain a possibility.
29. I have in mind the founding documents of the United States, in particular. But I am not aware of any contemporaneous declarations and constitutions that don't suffer the same malady.

The principle virtue of lottocracy (as conceived by Guerrero) is that it opens up the possibility that the stated goal of the democratically-inclined be realized: the *possibility of good governance by the governed.*

The lottocratic system is not meant to ensure government by "the best and the brightest"[30] but to make the ruled "better and brighter"—that is, to give true democracy a semblance of a chance.

Democracy "across time" and "founding documents"

Obviously, anything approaching implementation of a lottocratic restructuring of a standing representative democracy will require major revision of its founding documents. There will be understandable resistance to overcome in attempting to budge the inviolable inertia that accretes around such documents. They were meant as foundations, as rocks of stability, on which to build a better society, and even world, *at the time* of their creation. *At the time*, they were visionary: the best the founders could strain to imagine, we may hope, at least. *At the time*...

But the short definition, we have been assuming, of a democracy is that it is a system of government in which *the governed have a meaningful role in making and enforcing the laws they must live under.* We have been addressing the problem of implementing democracy in large communities. Communities are understood to be dispersed across geography. Their differences and stratification across *space* encompasses socioeconomics, culture, gender, religion, ethnicity, race, ability, and much else. People in communities must come to terms with all this in order to coexist in *spatial* proximity to each other. But there are relevant differences that are *not* spatial. The people, typically understood as constituting the "demos," are also *contemporaneous* with each other. Their lives overlap in time. The reference class is *the living* among demos; the living who live, by choice or necessity, in proximity with each other. The dead don't form a community. Lifetimes are *temporally* finite… So here's the question:

Why do we find it acceptable – in a democracy – that people living 250 years ago are permitted to make laws that govern those living now? Wouldn't that be a thanatocracy?[31] *Rule by the dead?*

Isn't this deference to the interests and values of the dead over the living a violation of the principle that the governed should have a meaningful role in making and enforcing the laws *they* must live under? *The dead don't have to live under any laws.* Why should the living have to live under laws designed by – and for – people long dead?

The inviolability of constitutions requires democratic justification. The only moral justification for the deference "founding documents" accrue is pragmatic. We need *stability*, given the limitations and velleity characteristic of the sorts of creature we are. But, we need – *just as much* – the *latitude* to revise the political framework that enables and restricts the lives we live – in a *genuine* democracy.

The suggestion here is that the justification for deference to founding documents is limited. Across 250 years, it cannot be justified. Though somewhat arbitrary, *a century of deference* may better serve the need for legal stability across generations while allowing for the evolution of norms among the

30. To echo David Halberstam's book of that title as well as Plato's epistocratic vision in *The Republic*.
31. Or necrocracy.

governed to inform and revise political frameworks. *Norms evolve across time.* Real democracy must be sensitive to this.[32]

Understood is that our lives do not begin with the birth of living generations nor end with their death. We and the ways we view and represent the world inherit, and are shaped by, legacies left by those who came before. This cannot be ignored. And we will leave legacies that will affect those who come after. We have an obligation to leave the best legacy we can. But we presume too much to think that we can fully comprehend what those who come later will value. We cannot presume to know what will be good *for them.*

As a practical matter, constitutions or "founding documents" should have expiration dates. Every century, say,[33] these require revision without restriction. It is an empirical matter what people a century hence will value. We – rather – *they* will see... *They* – not us – will have to live under *their* laws. *They* – not us – should have a meaningful role in the creation and enforcement of the laws *they* will live under. Otherwise, we have one of those "other" forms of government Churchill alluded to. Worse, not even a subset of the governed will be in charge.

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This is not to suggest that we may not scry from our perspective principles that *appear to us*, in our finite wisdom, as categorical or universal – and that *should* matter to those in the future *we may wish to identify with* – even if it should turn out that they don't, *i.e.*, that they don't recognize these principles. In other words, we may be excused for wanting to believe we may have captured some timeless moral truths. "Life, liberty, and pursuit of happiness… etc."[34] *Excused, but not justified.*

It is only to say that, should we be completely wrong, our supposed identity with those that succeed us will vanish *before* our presumption will be justified. We, our kind, will have become extinct in that eventuality. Extinct creatures can have no moral claim on those that supersede them.

Resources

- *Lottocracy: Democracy Without Elections*, Alexander Guerrero, Oxford University Press, 2024.
- "Alex Guerrero | Lottocracy: A New Kind of Democracy," Wolf Humanities Center, 2020-1.

32. Essentially, the legitimacy of democracy is synchronic. The ideas it entails and the people they affect must, to a significant a degree, be contemporaneous. Its diachronicity, or "across time" validity, is only instrumental. As long as old ideas still serve us we should hold onto them, but *only* as long. Assumed is diachronic normative development. Human nature may only change at an evolutionary pace, but our knowledge of ourselves, the reality we must live in, and what we want from it, we may hope, changes.
33. Three or four human generations are contemporaneous to some degree. 25 years is typically regarded as marking out a generation. Hence, a century.
34. Perhaps a century hence, our descendants may wish to demote somewhat these priorities. Perhaps they may want to list *first* "security" and "well-being"? Perhaps, not. But we have no diachronic moral grounds on which to insist that they should agree with us.

- "Reimagining Democracy as Lottocracy | Alexander Guerrero (With Travis Timmerman)," (podcast interview).

- "'Democracy Without Elections': Alexander Guerrero in conversation with Michael Hannon," (podcast interview).

- "Is our current form of politics capable of governing AI?" Interview with Yale political theorist Hélène Landemore and Canadian democratic innovator Peter MacLeod on why our current political system cannot regulate AI, but sortition/lottocracy may.

the philosophy club

Extended writeup for the topic hosted at The Philosophy Club in April 2026
Accessible at Archive.org

– Victor Muñoz
Guanajuato / Seattle